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Date: September 26, 2006

To: Office of Petitions
United States Patent & Trademark Office

A Professional Corporation

Intellectual Property
Law Worldwide

Fax No: (571) 273-0025

From: Scott A. Timmerman

Tel. No: (312) 222-8125

U.S. Serial No.: 10/752,467

BHGL Ref. No.: 6270/105

PML Ref. No.: 300105

*Copy of Petition
filed 9/22/06*Re: SYSTEM AND METHOD FOR SECURING ENERGY
MANAGEMENT SYSTEMSNo. of Pages
(inc. this page): 5Confirmation Copy To Follow: Yes ☐ No ☒IF YOU HAVE ANY PROBLEMS RECEIVING THIS MESSAGE,
PLEASE CALL 312-222-8125 AND ASK FOR: Scott A. Timmerman

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COVER MESSAGE:

This is a courtesy copy of the Petition to Withdraw from Issue, Request for Continued Examination and PTO Form 1449, all of which were filed by Express Mail on September 22, 2006. An Information Disclosure Statement and five references were also filed on September 22, 2006, but are not included herein.

**U.S.P.S. EXPRESS MAIL "POST OFFICE TO ADDRESSEE" SERVICE
DEPOSIT INFORMATION**Express Mail Label No.: EV 906961814 USDate of Deposit: September 22, 2006**FAX RECEIVED**

SEP 26 2006

OFFICE OF PETITIONS**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln of: Douglas S. Ransom et al.

U.S. Patent Application Serial

No.: 10/752,467

U.S. Filing

Date: January 5, 2004

For: **SYSTEM AND METHOD FOR SECURING ENERGY
MANAGEMENT SYSTEMS**

BHGL Ref. No.: 6270/105

PML Ref. No.: 300105

Examiner: P. Rodriguez

Art Unit: 2125

Confirmation No.: 4908

PETITION TO WITHDRAW FROM ISSUE UNDER 37 CFR § 1.313Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Dear Sir:

Applicants hereby petition for the withdrawal from issue of U.S. patent application Serial No. 10/752,467 under 37 CFR 1.313(b)(5) in order to permit the consideration of an Information Disclosure Statement Under Section 1.97 in a continuing application.

The issue fee for the above-identified application was paid on September 8, 2006. Applicants became aware of several references that may be relevant to this application. Applicants desire to have the references cited in the search report considered by the Patent Office and hereby petitions for the withdrawal from issuance of the patent application 10/752,467 in order for Applicants to file an RCE under 37 CFR § 1.53 including an Information Disclosure Statement and PTO-Form 1449.

Applicants enclose the petition fee of \$130 as specified under 37 CFR § 1.17(i).

Respectfully submitted,

Date: September 22, 2006Scott A. Timmerman
Registration No. 55,678
Attorney for Applicants

SEP 26 2006

OFFICE OF PETITIONS

U.S.P.S. EXPRESS MAIL "POST OFFICE TO ADDRESSEE" SERVICE
DEPOSIT INFORMATION

Express Mail Label No.: EV 906961828 US

Date of Deposit: September 22, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln of: Douglas S. Ransom et al.

U.S. Patent Application Serial
No.: 10/752,467U.S. Filing
Date: January 5, 2004For: SYSTEM AND METHOD FOR SECURING ENERGY
MANAGEMENT SYSTEMSBHGL Ref. No.: 6270/105
PML Ref. No.: 300105

Examiner: P. Rodriguez

Art Unit: 2125

Confirmation No.: 4908

Mail Stop RCE
Commissioner for Patents
U.S. Patent and Trademark Office
P. O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (37 C.F.R. § 1.114)

Sir:

Applicant(s) requests continued examination of the above-identified application under 37 C.F.R. §1.114.

☒ Submission under 37 CFR 1.114 (check at least one of the following):☐ Previously submitted:

- ☐ Applicant(s) requests nonentry of any previously-filed unentered amendments.
- ☐ Please enter and consider the Amendment After Final Under 37 C.F.R. §1.116 previously filed on _____
- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ☐ Other: _____

☒ Attached is/are:

- ☒ An Information Disclosure Statement
- ☐ An Amendment to the written description, claims, or drawings
- ☐ New Arguments and/or New Evidence in support of Patentability
- ☐ Other: _____

U.S. Ser. No. 10/752,467

BHGL Ref. No. 6270/105
PML Ref. No. 300105☐ Request for suspension of action:

Applicant(s) hereby request suspension of action on the above-identified application under 37 C.F.R. §1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; requires Processing Fee under 37 C.F.R. §1.17(i)).

☐ Small Entity Status:☐ Applicant hereby asserts entitlement to claim small entity status under 37 CFR §§ 1.9 and 1.27.☐ A small entity statement or assertion of entitlement to claim small entity status was filed in prior application no. _____ / _____ and such status is still proper and desired.☐ Is no longer desired.☒ Applicant(s) calculate the following fees to be due in connection with this Request:☒ A Request fee of \$790.00 under 37 C.F.R. §1.17(e).☐ A suspension processing fee of \$_____ under 37 C.F.R. §1.17(i).☐ An additional filing fee of \$_____ under 37 C.F.R. §1.16 (_____ additional independent claims and/or _____ additional total claims).☐ An extension fee of \$_____ under 37 C.F.R. §1.17(a) for a _____-month extension of time.☒ Fee payment to cover the above-enumerated fee(s):☒ A check in the amount of \$790.00 is enclosed.☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$_____. A copy of this Request is enclosed for this purpose.☐ A payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE). A copy of this Request is enclosed for this purpose.

Respectfully submitted,

September 22, 2006

Date



Scott A. Timmerman
Registration No. 55,678
Attorney for Applicants

Copy

FORM PTO-1449	SERIAL NO. 10/752,467	BHGL REF. NO. 6270/105 PML REF. NO. 300105
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (use several sheets if necessary)	FILING DATE January 5, 2004	GROUP ART UNIT 2125
APPLICANT: Douglas S. Ransom et al.		

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	F1	US 5,742,512	04/21/98	Edge et al.	

EXAMINER INITIAL	OTHER ART - NON PATENT LITERATURE DOCUMENTS (Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.)	
	F2	Paul Daigle, "All-Electronic Power and Energy Meters," Analog Dialogue 33-2 (1999 Analog Devices).
	F3	"Advanced Utility Metering, Period of Performance: Apr. 23, 2002-Sept. 22, 2002," Architectural Energy Corp. at Boulder Colorado, National Renewable Energy Laboratory, published September 2003.
	F4	"Security and Encryption for AMR Communications" presentation at Transmission, Distribution and Metering Conference Apr. 21-24, 2002 at Dallas, Texas by SmartSynch Inc.
	F5	Product brochure, S4 IDR SmartMeter by Itron, copyright 2003.
	F6	"A Case Study Review of Technical and Technology Issues for Transition of a Utility Load Management Program to Provide System Reliability Resources in Restructured Electricity Markets" by G.H. Weller of Weller Associates under contract to Southern California Edison, dated July 2001.

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.